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Ontario. Legislative Assembly.  
Standing Committee on the  
Ombudsman.

Debates

Oct. 18, 1989; June 20, 1990





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# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**Standing Committee on the Ombudsman**  
Organization



**Second Session, 34th Parliament**  
Wednesday 18 October 1989

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers

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Editor of Debates: Peter Brannan

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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE OMBUDSMAN

Wednesday 18 October 1989

The committee met at 1012 in room 151.

### ORGANIZATION

**Clerk of the Committee:** Good morning. My name is Franco Carrozza. I am your clerk. I have contacted the offices of both Mr Pollock and Mr Cousens. They have given me word that we can go ahead with the election of the chairman and the vice-chairman. However, you will have to decide what you wish to do after that.

**Mr Philip:** I nominate Mr Velshi for chairman.

**Clerk of the Committee:** Thank you. Are there any other nominations?

**Mr Philip:** I move that nominations be closed.

**Clerk of the Committee:** Thank you. Mr Velshi, would you please take the chair.

**The Chair:** Thank you very much. I wish all elections were that simple. I appreciate your support in electing me as chair of this committee. I look forward to a good working relationship with all members of this committee during my tenure as chairman. Before we go on to the next stage, I think perhaps it is proper here to congratulate the new Ombudsman, Roberta Jamieson, on her appointment to a really major and trying position. On behalf of the committee, I think you will all join me in wishing her well and we look forward to a good working relationship with her and her office.

A vote of thanks for Mrs Meslin here, who has been carrying the ball all this while. From what I hear, you have done a super job, Mrs Meslin, and I hope you continue with us on that same basis.

I think the next item on our agenda is the election of a vice-chair.

**Mr Philip:** I nominate Mr D. R. Cooke.

**The Chair:** Any other nominations?

**Mr Philip:** If it is a nonpartisan committee it should a member of another party.

**Mr Carrothers:** I move that nominations be closed.

**The Chair:** All in favour? Congratulations, Mr Cooke.

We do not have anyone from the Conservative caucus here. We have to elect an all-party subcommittee, one from each caucus. Do we have any nominations from the floor?

**Ms Bryden:** I nominate Mr Philip.

**Mr Carrothers:** I nominate Mrs Joan Smith.

**The Chair:** We have an indication that Mr Pollock will be on the committee.

**Mr Carrothers:** Then I will nominate him.

Do we have the right of substitution on the committee?

**Clerk of the Committee:** Yes.

**The Chair:** Mr Carrothers moves that a subcommittee be struck to consider, on the committee's behalf, communications from the public; the subcommittee to be composed of one member from each party and the chairman of the committee, namely, Murad Velshi, chairman; Mrs Joan Smith; Mr Pollock and Mr Philip, with a quorum of four. Substitution shall be permitted on written notice.

All communications from the public to the committee shall be referred to the subcommittee, which shall review and respond to them, provided that all decisions by the subcommittee shall be unanimous. Any matters which are not decided unanimously by the subcommittee shall be considered by the full committee. The subcommittee shall report to the committee for consideration by it any matters which, in the subcommittee's opinion, warrant the full committee's attention. The subcommittee shall, subject to direction by the committee, determine its procedures.

Is there someone to second that? I believe seconding the motion is in order.

**Mr Philip:** I second the motion.

Motion agreed to.

**The Chair:** The next item on the agenda is something that we are supposed to go in camera for. Before we go into that, Mrs Meslin.

**Mrs Meslin:** Excuse me, but when you go in camera, because I will not be present, of course, there are just two or three short items that I should bring to your attention.

First of all, I did speak this morning with our new Ombudsman, Ms Jamieson. I extended an invitation to her to attend this morning but, since her appointment does not begin until 30 October, she did not feel it was proper and sends her best.

What she did ask me to convey, though, is that she was interested in knowing if the com-

mittee had any dates coming up for the next committee hearing, so she asked me to ask the committee that. That is number one, which I can leave with you for the moment. Number two is that at our last meeting, the committee instructed the Ombudsman's office to re-examine Mr W, one of our cases. We had to take a look at some of the situations there, and I just want to inform the committee that this has been done. We have just about completed a letter that we will present to the committee that will complete that part of the investigation they asked us to redo. Those are the matters that I would like to put before you.

**The Chair:** We do not have our dates for the next two meetings. I think we will get into that a little later and will keep you informed of that.

As far as Mr W's case is concerned, I do not think there is anything to be done until we have some response from you on that. Before we go in camera, I am informed that Mr Pollock and Mr Cousens will not be here today and have requested that we not discuss anything that is supposed to be discussed in the in-camera meeting in their absence and, subject to the committee, they know we are supposed to be discussing the annual report and they felt they would like to be here for that purpose. If it is okay with the committee, we will extend that courtesy to them. On the other hand, we can decide to go in camera first and discuss it.

**Mr Philip:** I think we should decide now. I would have very strong objections to proceeding without members of all three parties present. We

are writing the expenditures section. The New Democratic Party members have prepared a dissenting report and I am hoping I will be able to convince the Conservative members on the committee to sign their names to that report. I certainly want an opportunity to address them on that.

**Mr Bossy:** That is a nonpartisan position you are taking.

**Mr Philip:** Mr Bossy, I hardly think that after that fiasco of your being whipped—for the first time in the history of this committee it has become partisan, thanks to the Liberals and Mr Scott.

**The Chair:** Perhaps we could remain on topic here. We are discussing the in-camera session right now and we would like to speak to this, if you do not mind.

**Mr Carrothers:** I would agree that we should extend that courtesy. It would be unusual and I think improper for the committee to be discussing a report without all caucuses represented, so I suppose that means we will not move to an in-camera meeting, but should put that off until early next week.

**The Chair:** Okay. It seems we have consensus that we will not discuss the annual report. Is there anything else to say? No? Then we can close the meeting.

The committee adjourned at 1020.

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**Vice-Chair:** Cooke, David R. (Kitchener L)

Bossy, Maurice L. (Chatham-Kent L)

Bryden, Marion (Beaches-Woodbine NDP)

Carrothers, Douglas A. (Oakville South L)

Cousens, W. Donald (Markham PC)

Henderson, D. James (Etobicoke-Humber L)

MacDonald, Keith (Prince Edward-Lennox L)

Philip, Ed (Etobicoke-Rexdale NDP)

Pollock, Jim (Hastings-Peterborough PC)

Smith, E. Joan (London South L)

**Clerk:** Carrozza, Franco

**Staff:**

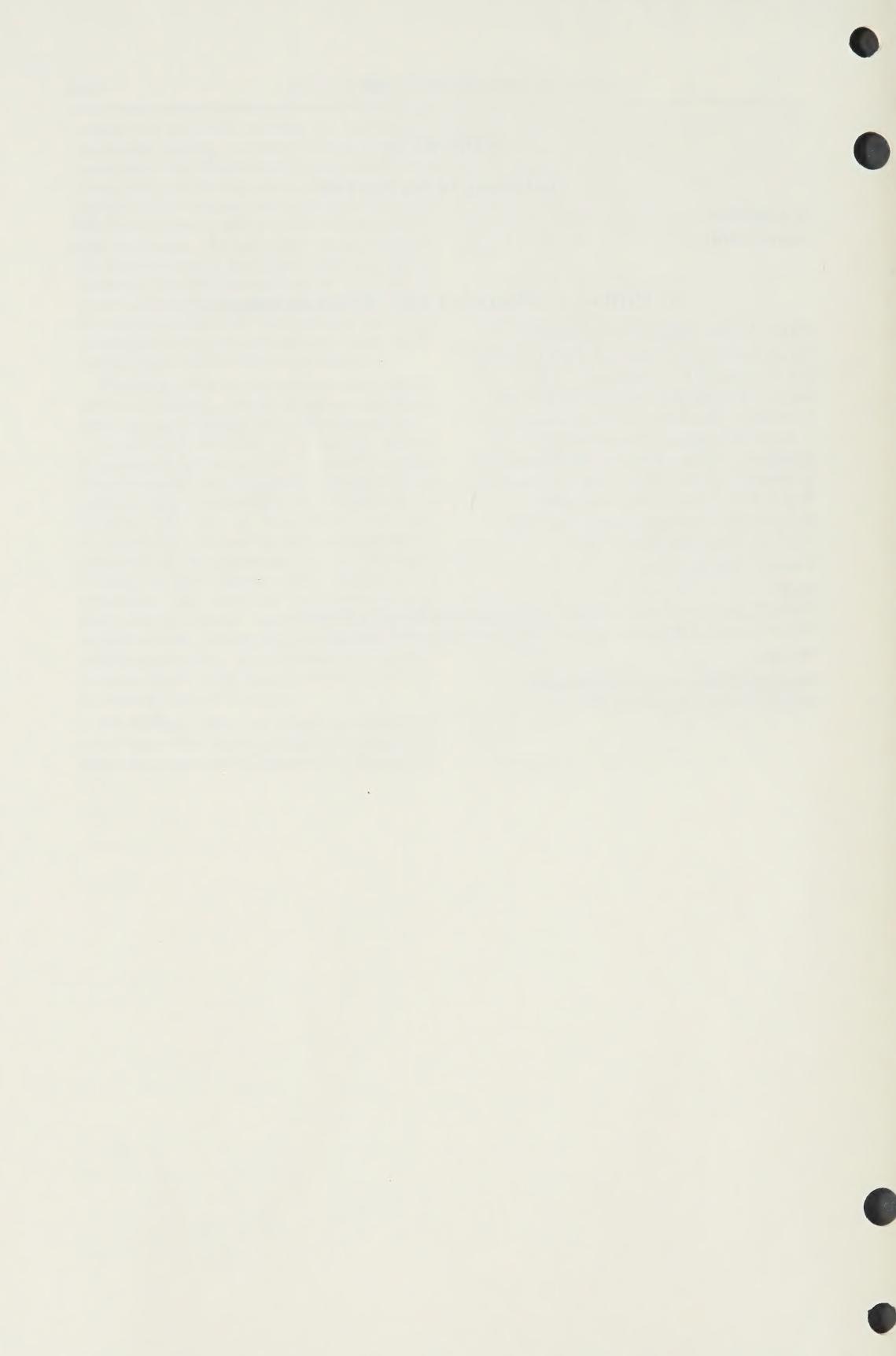
Evans, Catherine A., Research Officer, Legislative Research Service

Wilson, Jennifer, Research Officer, Legislative Research Service

**Witness:**

**From the Office of the Ombudsman:**

Meslin, Eleanor, Executive Director





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B-3 1990



B-3 1990

## Legislative Assembly of Ontario

Second Session, 34th Parliament

## Official Report of Debates (Hansard)

Wednesday 20 June 1990

Standing committee on  
the Ombudsman

Cases of Messrs W and Z

Committee budget

## Assemblée législative de l'Ontario

Deuxième session, 34<sup>e</sup> législature

## Journal des débats (Hansard)

Le mercredi 20 juin 1990

Comité permanent de  
l'ombudsman

Les affaires MM. «W» et «Z»

Prévisions budgétaires de comité



Chair: Murad Velshi  
Clerk: Franco Carrozza

Published by the Legislative Assembly of Ontario  
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Président : Murad Velshi  
Greffier : Franco Carrozza

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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE OMBUDSMAN

Wednesday 20 June 1990

The committee met at 1007 in room 2.

**The Vice-Chair:** I would like to call this meeting of the standing committee on the Ombudsman to order. There are two items on the agenda, one report with two items from a subcommittee meeting and a budget.

### CASES OF MESSRS W AND Z

**The Vice-Chair:** With respect to the report subcommittee on communications from the public, I would ask members to look at the report, dated 13 June 1990, and to move it.

**Mr Bossy:** I move that the report be approved as presented.

**The Vice-Chair:** I appreciate your doing that, Mr Bossy. I think for the Hansard record it would be helpful if you read the two items as listed.

**Mr Bossy:** I move:

1. That the Chair inform Mr Z that the subcommittee has reviewed his case and, after careful scrutiny of all documents provided, it recommends that it find the Ombudsman has investigated the complaint fully and fairly and it concurs with the Ombudsman recommendation.

2. That the Chair inform Mr W that the subcommittee has reviewed his case fully, and it has found that the Ombudsman has investigated the case correctly and fairly. The subcommittee concurs with the Ombudsman recommendation.

Motion agreed to.

### COMMITTEE BUDGET

**The Vice-Chair:** We have now completed half the agenda. The next item is the budget.

I understand that the budget for next year, the total budget of \$61,370, is \$2,000 or some small figure lower than this year. I think that the individual items are explained. There is an explanatory note at the end but, if there are any questions, I think

the committee clerk is the appropriate person to ask any detailed questions. Are there any questions on the budget?

**Mr Pollock:** Is the research staff taking less pay?

**Ms Wilson:** I was hoping for a raise.

**The Vice-Chair:** Aren't we all? Do you want to comment on the reason for the slight reduction, Franco?

**Clerk of the Committee:** Yes. What is happening is that some of the items have been removed from the budgets of the committees and placed in the clerk's budget, so that items like office supplies now can be bought centrally for all the committees, not the individual committees.

**Mr Bossy:** The budget does not contain unforeseen travelling that we might do, whereby we would have to ask for supplementary funds?

**Clerk of the Committee:** That is correct.

**Ms Bryden:** What about translations?

**Clerk of the Committee:** Translations are provided for if we meet in Toronto in room 151. However, if we were to travel, it would be contained in a supplementary budget similar to our travelling expenses.

**The Vice-Chair:** Mr Bossy moves that we approve the budget for 1990-91.

Motion agreed to.

**The Vice-Chair:** There being no further business—I do not think there is any further business.

**Clerk of the Committee:** This completes all the business for our committee. There are no other items before the committee. It is up to date.

**The Vice-Chair:** I presume we will resume at the call of the Chair, whenever that might be.

The committee adjourned at 1012.

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## STANDING COMMITTEE ON THE OMBUDSMAN

**Chair:** Velshi, Murad (Don Mills L)

**Vice-Chair:** Kanter, Ron (St. Andrew-St. Patrick L)

Bossy, Maurice L. (Chatham-Kent L)

Bryden, Marion (Beaches-Woodbine NDP)

Carrothers, Douglas A. (Oakville South L)

Cooke, David R. (Kitchener L)

Cousens, W. Donald (Markham PC)

Henderson, D. James (Etobicoke-Humber L)

MacDonald, Keith (Prince Edward-Lennox L)

Philip, Ed (Etobicoke-Rexdale NDP)

Pollock, Jim (Hastings-Peterborough PC)

**Clerk:** Carrozza, Franco

**Staff:**

Wilson, Jennifer, Research Officer, Legislative Research Service



B-4 1990

B-4 1990

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## Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Wednesday 5 December 1990

Standing committee on  
the Ombudsman

Organization



Chair: Mark Morrow  
Clerk: Franco Carrozza

Published by the Legislative Assembly of Ontario  
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## Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

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Le mercredi 5 décembre 1990

Comité permanent de  
l'ombudsman

Organisation

Président : Mark Morrow  
Greffier : Franco Carrozza

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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE OMBUDSMAN

Wednesday 5 December 1990

The committee met at 1008 in room 151.

### ORGANIZATION

**Clerk of the Committee:** Good morning, ladies and gentlemen. My name is Franco Carrozza. I am the clerk of the committee and I shall be conducting the election of the Chairman. The procedure we use is that I will open the floor for nominations and, should there be one nomination only, we will declare the member elected Chairman. Should there be two nominations, we will vote on both and should the first member receive a majority of the vote, he or she will be the Chair. I will now open the floor for nominations.

**Mr B. Murdoch:** I nominate Mr Morrow for Chair.

**Clerk of the Committee:** Any further nominations? Being no other nominations, I declare Mr Morrow elected Chair.

**The Chair:** We will proceed with the second item on the agenda, the election of the Vice-Chair. Do I see nominations?

**Mr Mammoliti:** I move Mr White for Vice-Chair.

**The Chair:** Any further nominations? Seeing none, I declare nominations closed. Drummond, will you stand?

**Mr White:** Thank you.

**The Chair:** Okay. Let's move on to item 3, the establishment of the subcommittee on communications for the public.

**Mr B. Murdoch:** Yes, I move that a subcommittee be struck to consider on the committee's behalf communications from the public; the subcommittee to be composed of one member from each party and the Chair of the committee, namely, Mr Morrow, Chair, Mr B. Murdoch, Mr Mammoliti, Mr Curling, with a quorum of four; substitution shall be permitted on written notice. All communications from the public to the committee shall be referred to the subcommittee, which shall review and respond to them, provided that all decisions by the subcommittee shall be unanimous; any matters which are not decided unanimously by the subcommittee shall be considered by the full committee. The subcommittee shall report to the committee, for consideration by it, any matters which in the subcommittee's opinion warrant the full committee's attention. The subcommittee shall, subject to direction by the committee, determine its procedures.

Motion agreed to.

**The Chair:** Moving on to item 4, the 1991-92 budget, that is open for discussion.

**Mr Curling:** Could I have a copy of that budget?

**The Chair:** You did receive a copy of the budget. Do you have any further questions? We have one extra copy here.

**Mr Curling:** That is wonderful.

**The Chair:** The clerk will read through the budget.

**Mr Mammoliti:** I am just curious what relevance the budget has to the lawyer and the aspect of hiring a lawyer.

**The Chair:** Could I refer that to the clerk, if you would not mind, please?

**Clerk of the Committee:** Any expenditures incurred by the committee must be presented in the form of a budget to be approved by the Board of Internal Economy. If we wish to hire a lawyer to assist the committee, then we must approve of it first and the overall approval is by the Board of Internal Economy, in accordance with our own standing orders of the Legislature. We cannot independently hire anyone without any approval from the board.

**Mr Mammoliti:** Okay. So it is a matter of dealing with the budget first and then hiring a lawyer, if we feel that that is necessary.

**Clerk of the Committee:** Yes. Part of the budget must be—

**Mr Mammoliti:** Do the lawyer's fees have to be in the budget? The committee has to approve the budget, right?

**Clerk of the Committee:** That is correct.

**Mr Mammoliti:** So it does not necessarily mean that we are going to continue using the lawyer who has been used in the past?

**Clerk of the Committee:** No, not at all. It is up to the committee to choose the lawyer. If they wish to hire the former lawyer, that is fine. It is your decision.

**Mr Mammoliti:** I am not sure whether we are going to be discussing the aspect of the lawyer today.

**Clerk of the Committee:** It is up to you. If you wish to discuss that, it is fine.

**Mr Mammoliti:** I really did not want to. I wanted to perhaps discuss it at the next meeting.

**Clerk of the Committee:** That is fine.

**The Chair:** Do you want to put that into a motion, George?

**Mr Wessenger:** May I just make a point of order? Should we not deal with the budget first? Because I do not think that is included in the budget.

**The Chair:** Okay. We will deal with the budget first.

**Mr Mammoliti:** I just wanted to rectify that. That is all.

**Mr Duignan:** I have a question. Are we dealing item by item on this budget or just approving it in general?

**Clerk of the Committee:** I could explain to you what these items mean and I think you will get an idea of what the process of the committee is.

Traditionally, our committee has met in accordance with our standing orders to review the Ombudsman's report, which the Ombudsman presents to the Legislature, and it is assigned to this committee. We meet during the in-between session, which is either the summer or the spring, for about two weeks to review the cases.

As you know, when the committee meets during the House, the committee will not be permitted to pay for the members' expenditures. However, when we meet when the House is not meeting, the committee can pay for your expenditures. This is what this budget is about.

**Mr Duignan:** The question was, do we approve this budget item by item or just as a general package?

**Clerk of the Committee:** Just as a general package, but you can review each individual item if you wish.

**Mr Duignan:** That is what I was asking.

**The Chair:** It can be reviewed as a whole, I do believe. Are there any questions on the budget?

**Mr Wessenger:** Could I ask just one question? Is this in line with previous budgets?

**Clerk of the Committee:** This particular budget is last year's budget. I have not prepared a new one. In the package, you will notice there were two budgets, one from two years ago and one from last year. Do you not have it?

**Mr Duignan:** There was only one budget.

**Clerk of the Committee:** Okay. Two years ago the budget was \$61,000. Last year's budget was \$63,000. You will note that one third of the budget of expenditures is for legal counsel, and that has been the same for the last four years.

**Mr Wessenger:** Were we under budget last year?

**Clerk of the Committee:** Yes.

**Mr Wessenger:** That is what I thought.

**Clerk of the Committee:** We only spent \$1,600 last year.

**Mr Duignan:** Was that because the committee did not meet to review the annual report?

**Clerk of the Committee:** That is correct, and also because of the election.

**Mr Duignan:** Will this be sufficient this year, because we will have two reports to consider?

**Clerk of the Committee:** This particular budget is for four weeks. We usually meet for two in the spring and two in the fall. I would recommend the same type of budget, and it more than likely will be the same range of funds.

**Mr Curling:** As a point of clarification, this budget was also to March. Is that what you were saying?

**The Chair:** March 31.

**Mr Curling:** And the new budget can then go on—

**Clerk of the Committee:** That is correct. I simply present this budget to you for you to look at and to direct me if you wish to make changes for the next year. What I

will do for the next meeting is prepare a new one, beginning from 31 March 1991.

**Mr Curling:** Yes, what I need clarification on is that this budget now as it stands is for 1990-91. The fact is that some of this has been expended already anyhow.

**Clerk of the Committee:** Because of the election, all the budgets were terminated.

**Mr Curling:** Yes, but it started in March 1990.

**Clerk of the Committee:** We do not have a budget at all. This does not exist.

**Mr Duignan:** So in fact we are approving this year's budget, not next year's.

**Clerk of the Committee:** I am simply showing you the process of the budget.

**The Chair:** What you are looking at, Noel, is the past budget that was approved by the last committee.

**Mr Curling:** That is the point I am making. I am making the point that this is March 1990 to March 1991. You said that no money was expended from this, or if there was any, it was a minimum amount because of the election and what have you; therefore you are only showing us this budget itself as it is because it has been approved already.

**Clerk of the Committee:** This particular budget was approved on 28 June. However, when the election was called, all the budgets and all the committees were terminated, which means that, even though this is approved, there are no funds there.

**Mr Curling:** So what are you asking here, Mr Chair? Are you asking us to approve it so we can move on until March, so we can spend from this budget?

**Clerk of the Committee:** No, I am not.

**Mr Curling:** So we have no budget, you said.

**Clerk of the Committee:** That is correct.

**The Chair:** We will have a new budget.

**Mr Curling:** So what are we going to spend if we have to spend something next week? From what account? Is there an account to spend it from?

**Clerk of the Committee:** No, you are on credit at the moment.

**Mr Curling:** By approving it today, is it an approval we are looking at so we will not be spending on credit?

**Mr Duignan:** A point of clarification here—

**Mr Curling:** He was about to answer it. Just let him respond to it.

**The Chair:** Maybe for a bit of clarification, what we are looking at is the budget that was approved by the last committee for last year. I think what the clerk has asked you to do is look at that budget and try to give him direction to make a new budget.

**Mr Mammoliti:** Mr Curling has a point. We have to decide what we want to do from now until March.

1020

**The Chair:** Exactly, that is what this Chair is asking here.

**Mr Mammoliti:** I think it is important that we decide that here today. As far as the March budget is concerned,

we can deal with that perhaps at the next meeting. Maybe the clerk can come up with a budget that we are all happy with, or perhaps a subcommittee can go through a budget that we are happy with. I do not know the procedure, but I think that for the time being we should decide what we want to do as a committee from now until March and that we decide that today.

If we want to continue on credit, then we continue on credit up until March. If we want to create a small budget up until March, that is what we do. We are just going around in circles here.

**The Chair:** Basically, that is what we are here to do, George. Drummond, go ahead.

**Mr White:** What I was wanting to suggest was that this budget of course has no relationship to reality whatsoever.

**The Chair:** No.

**Mr White:** Because we are talking here of two weeks in the summer meeting, two weeks in the fall meeting, a total of 16 meetings over four weeks. We do not have in front of us any schedule of business over the intersession, which is what these expenses would be for.

I would suggest that if we do anything with this budget, we approve it only in a conditional way, pending submission of a budget reflecting the needs of the remaining part of the 1990-91 fiscal year. Would that be acceptable?

**The Chair:** What I would ask, Drummond, if it is okay with the committee, is that the subcommittee meets to strike the new budget and bring it back to the committee of the whole. Would that be fine?

**Mr Curling:** Excellent suggestion, Mr Chairman.

**Mr Duignan:** Yes, Mr Chairman, that is my suggestion too, that the committee goes away and deals with the budget for the remainder of the year and comes back with a suggested budget for 1991-92 for its next meeting.

**Mr Curling:** Again, there has to be a budget between now and March and a budget also, if we are going to consider the budget, for 1991-92. I do not see that this committee should sit on credit.

**Clerk of the Committee:** Mr Curling, what you are suggesting is correct. There should be two budgets actually.

**Mr Curling:** Yes.

**Clerk of the Committee:** One from today to 31 March and one from 1 April for the next year. I will prepare those two budgets for the subcommittee review. Then once they make the suggestion of approval, we will bring it back to the committee.

**Mr White:** I would like to go back to my earlier suggestion and make a formal motion, and that is simply that this budget be approved conditional upon there being revisions by the subcommittee, because we need to strike a budget prior even to the subcommittee's meeting. We do not know when that subcommittee would report back to our whole committee, nor do we necessarily want to in the next short while. So basically I move that we want this

budget to be approved conditional to a report and revision by the subcommittee.

**The Chair:** Is this group agreeable to that?

**Mr Wessenger:** Could I just make a comment on this? I think we may have some problems if we approve a budget conditionally. I think we should approve the budget and we can then ask that the subcommittee, as a second motion, look at the budget with considering an amendment. I think we should have something to work on because we do not have a budget that is an actual budget. There is no authority to spend money.

**Mr White:** I think Mr Wessenger's point is excellent. I would therefore make two motions, the first being the approval of this budget. Do we have a seconder?

**Mr Wessenger:** I will second that motion.

**Clerk of the Committee:** Mr White, if you move a motion that is adopted, then this budget will be your new budget, and this superimposes on the suggestion already made that the subcommittee review the budget and make a recommendation to the full budget. I would suggest that we stick with the first motion: allow the subcommittee to meet and make a recommendation. I will prepare that budget for you for the next meeting and then you can review it. If the committee wishes to adopt that, then everything will be fine.

**Mr Wessenger:** Could I just ask one question? I assume there is no problem of us not having a budget for a while.

**Clerk of the Committee:** There is no problem.

**Mr Wessenger:** If there is no problem with us not having a budget, then there is no problem deferring it. I was just concerned that we might have no right to spend any money at all without having a budget.

**The Chair:** Paul, this group really does not need a budget until you meet when the House is not in session.

**Clerk of the Committee:** So we have the time to prepare the budget.

**The Chair:** So we do have the time at this point.

**Mr Mammoliti:** I am still not clear on something. It is just a matter of clarification. What does "on credit" mean? Does that mean, since we are not going to be in session in a couple of weeks, that we are not going to have, until the subcommittee meets, any way—I just want to find out what "on credit" means. If something should happen where we have to spend money for some reason or another—

**Clerk of the Committee:** Mr Mammoliti, what that means is simply this. When the House is in session, the only expenditure that this committee incurs is coffee and tea. All other expenditures—for stationery—are taken care of by the Clerk's office on a separate budget. It is not incurred by the committee at all. That is the only thing. So in this particular case "on credit" means that until 21 December, when we meet, there is no difficulty with the committee incurring any costs.

**Mr Mammoliti:** Is that just the way it is, or is it on paper somewhere saying that this is the way it has to be, or

can the Chairman and the committee say, "We're going on a field trip next week and we're going to be spending some money"? If it is the way it used to be, then I am a little uncomfortable with that because you never know what could happen. If it is on paper, if somewhere it says that the subcommittee will not spend anything other than for coffee, then I can understand your point.

**Clerk of the Committee:** Mr Mammoliti, any trips that this committee wishes to take must be approved first by the Legislature and if there are any expenditures, they must be approved by the Board of Internal Economy. So you cannot do anything independently really.

**Mr Mammoliti:** So then we are safe on the credit?

**Clerk of the Committee:** Yes.

**Mr Mammoliti:** I just wanted to clarify that.

**Clerk of the Committee:** That is fine.

**Mr Huget:** I believe that we have a recommendation in terms of the subcommittee going away to develop a budget for our review. Can I suggest we make that motion, if it is necessary, and move on?

**The Chair:** That has has been approved. I would have to ask Drummond to withdraw his motion.

**Mr White:** We would also have to add that this is outside the terms of reference of the subcommittee. The subcommittee is for the purpose of receiving communications not business.

**Clerk of the Committee:** That particular subcommittee is not the one that is going to handle it.

**Mr White:** Which subcommittee is going to handle it?

**Clerk of the Committee:** The one concerned with the business of the committee. The particular subcommittee which we have established only deals with communication from the public.

**Mr White:** So you are talking about establishing another subcommittee then?

**Clerk of the Committee:** Yes.

**Mr White:** Okay.

**The Chair:** Do you withdraw your motion?

**Mr White:** Yes.

**The Chair:** I would ask that we establish a second subcommittee to deal with the business of the committee. Do we have a motion on the floor?

Mr Mammoliti moves that a second subcommittee be established to deal with business of the committee.

Motion agreed to.

**The Chair:** Would somebody like to volunteer the time?

**Clerk of the Committee:** It is usually the same three individuals.

**The Chair:** Okay, thank you.

**Mr White:** I have already volunteered twice, though.

**Clerk of the Committee:** The reason for the same three individuals is because it is much better if you make the arrangements than three other new individuals.

**The Chair:** That was easy.

**Mr Curling:** Could we have a date?

**The Chair:** That was the next question I was going to ask. Can we set a time for the subcommittee to meet?

**Mr Mammoliti:** I would appreciate that it be set today so that we do not have to worry about it later.

**The Chair:** The clerk informs me that he cannot meet with us today.

**Clerk of the Committee:** I have another committee meeting at 3:30.

**The Chair:** I would move that we meet—how is tomorrow morning?

**Mr B. Murdoch:** I have a committee meeting tomorrow morning.

**Mr White:** I have a committee meeting as well.

**Mr Curling:** What about Thursday?

**The Chair:** That is Thursday, sir.

**Clerk of the Committee:** What about Thursday afternoon after routine proceedings? Does anyone have committees?

**The Chair:** How about Thursday after question period?

**Mr Curling:** What time are you talking about?

**The Chair:** We are talking about 3:30 here in room 151.

**Clerk of the Committee:** We can make available another room for you.

**Mr Curling:** That is fine with me, 3:30.

**The Chair:** George, is that fine with you?

**Mr Mammoliti:** It is until six, is it?

**The Chair:** Yes.

**Mr Mammoliti:** Yes, that is good.

**The Chair:** Are there any other matters before this committee?

**Mr Duignan:** I was just wondering where the Ombudsman's report from last year is.

**Clerk of the Committee:** The latest Ombudsman's report has not been given to the committee yet. So it is still with the Legislature. They usually give it to us before the House adjourns. I will get an answer for you by the next meeting.

**The Chair:** Any other matter before this committee? Seeing none, I would say that we stand adjourned.

**Mr Curling:** When do we meet again?

**The Chair:** Next Wednesday morning at 10 am in this room, room 151.

**Mr White:** Before we do that, at that meeting will we hear from the subcommittee?

**The Chair:** Yes, we will.

The committee adjourned at 1031.

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Mathyssen, Irene (Middlesex NDP)

Murdoch, Bill (Grey PC)

Wessenger, Paul (Simcoe Centre NDP)

Witmer, Elizabeth (Waterloo North PC)

**Substitution:** Mahoney, Steven W. (Mississauga West L) for Mrs Fawcett

**Clerk:** Carrozza, Franco

**Staff:** McNaught, Andrew, Research Officer, Legislative Research Service

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Standing committee on  
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Chair: Mark Morrow  
Clerk: Franco Carrozza

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Organisation



Président : Mark Morrow  
Greffier : Franco Carrozza

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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON THE OMBUDSMAN

Wednesday 12 December 1990

The committee met at 1007 in room 151.

### ORGANIZATION

**The Chair:** I call the meeting to order. I would like to introduce myself. I am Mark Morrow, Chair of the standing committee on the Ombudsman. We are having this current meeting on organizational aspects of the committee. The subcommittee met last Thursday. I would like to read you its report.

"Your business subcommittee met on Thursday 6 December 1990 and has agreed to recommend the following:

"1. That the committee adopt a supplementary budget (see attached). The budget is to cover the period from 7 December 1990 to 31 March 1991, after which the committee should prepare a new budget for the new fiscal year.

"2. That the committee direct the business subcommittee to review and make a recommendation to the hiring of a committee legal counsel.

"3. That the committee set aside some time to review its role as stated in its order of reference as contained in standing order 104(h)."

Are there any questions or comments on the subcommittee's report? Can I now have somebody move the adoption of the report?

**Mr B. Murdoch:** I will move that.

**The Chair:** Thank you very much. Carried? Okay, now we can move on to other business. Is there any other business before this committee?

**Mr Wessenger:** Could I just ask a question? Did we in effect approve the budget without saying it?

**The Chair:** Actually, because the budget was part of the subcommittee, yes, you just have approved the budget.

**Mr Wessenger:** Which we have not seen.

**The Chair:** Copies were sent to you. If you wish to ask questions, even though it has been approved, I would now entertain questions.

**Mr Wessenger:** I see I have a copy here. I did not get a copy sent to my office, or it may have come yesterday.

**Mr B. Murdoch:** I would think, as we are a new committee, that if someone had a problem with something in the budget, would we not be open to discuss it, say at our next committee meeting?

**The Chair:** I do not really have any problem with that, but if there are any problems we should be able to discuss them now.

**Mr B. Murdoch:** I have no problems, but I thought maybe some of them had not read it, and we are all new. I do not think we are that tied down that if somebody had a real problem—

**The Chair:** I do not see any problems with that.

**Mr Duignan:** I trust this budget will be prorated from 7 December through to 31 March?

**The Chair:** Yes, it would.

**Mr Duignan:** I was just wondering, in relation to meetings, how you are going to prorate the meetings. Are we planning to have any meetings between now and the end of March?

**The Chair:** I guess I can inform the committee—you will be receiving letters about this—that I informed the House leader's office yesterday and I informed Franco that this committee will not be meeting while the House is in recess. The subcommittee will be meeting, but the committee itself will not be meeting.

**Mr Duignan:** In fact, then, the budget for the remainder of the fiscal year will be very small.

**The Chair:** Yes, it will.

**Mr Mammoliti:** I want to bring up the item of hiring a lawyer or looking at the same lawyer.

**The Chair:** That will be dealt with in the subcommittee.

**Mr Mammoliti:** I just think the committee should have a chance at perhaps saying how it feels. I do not know.

**The Chair:** I have just been informed by the clerk that the subcommittee will make a report to the committee as a whole, just as we did with the budget here, and it will be aired by the committee at that point.

Are there any further questions?

**Mrs Fawcett:** Congratulations on your chairship. Why will we not be meeting in the break? Is there no business before us?

**The Chair:** There is no business before this committee at this point.

**Mrs Fawcett:** Is that not great? There are no problems out there. My goodness.

**The Chair:** I have just been informed by the clerk that the Ombudsman report is released in the summer. Okay?

**Mrs Fawcett:** All right, thank you.

**Mr Duignan:** Will the report from the subcommittee on the question of hiring a committee legal counsel come in the form of a recommendation to the committee, and will we get a chance to air our points of view on that?

**The Chair:** I would like to believe that you will be able to air your views also on the recommendation.

**Mr White:** Through you to the clerk: I am curious about the correspondence subcommittee. Is there correspondence which is waiting to be received by that committee?

**Clerk of the Committee:** There is always some correspondence from individuals who wish to receive information regarding the committee. If it is a minor matter, I respond to it. If there are serious matters for the subcommittee to review, I inform the Chairman of that fact, and then the subcommittee meets to look at the correspondence before it. The clerk does not handle everything.

**Mr White:** And at the moment there are no serious matters for that subcommittee?

**Clerk of the Committee:** There is one particular letter from the Ombudsman, which was presented to the Chair. The recommendation was that we wait until we have a legal counsel to review this matter that the Ombudsman wished to discuss with the committee.

**The Chair:** Any further questions? Seeing none, can we move on to new business? Seeing none, I would entertain a motion to adjourn at this point.

The committee adjourned at 1015.

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